

FRANKLIN COUNTY MUNICIPAL COURT
SMALL CLAIMS DIVISION

Case No. 2020 CVI 030216

Kenneth Johansen
5202 Avery Oak Drive
Dublin, Ohio 43016
614-791-1037
johakw@gmail.com

HB Insurance Solutions LLC
5907 N 138th Ave
Litchfield Park, Arizona 85340

Brandon William Hermann
5907 N 138th Avenue
Litchfield Park, Arizona 85340

*Interpreter:

Plaintiff(s)

v.

Defendant(s)

- (1) Has this dispute been to mediation? **No**
- (2) Is the Defendant currently in the United States Military Service? **No**
- (3) Do you want to waive notice of failed service if certified mail is selected? **Yes**
- (4) What type of service do you want to select? **Certified Mail**

COMPLAINT

Between April 20, 2020 and May 4, 2020, Plaintiff, Kenneth Johansen, received at least eleven (11) autodialed telemarketing calls to his Do Not Call registered phone number, 614-791-1037. HB Insurance Solutions LLC or its agent initiated these calls and offered to sell the Plaintiff a final expense life insurance policy.

The Defendant's caller identification number was a non-working number. The Defendant concealed his company name during the call. The plaintiff believes the Defendant wanted to keep his identity secret because he knew he was violating the Telephone Consumer Protection Act regulations. On information and belief, Brandon William Hermann is CEO and owner of for HB Insurance Solutions LLC. He has complete control of corporation's telemarketing program; he has knowledge of the illegal calls made by the company; and, he is allowing these illegal calls to continue.

The defendant violated 47USC§227(c)(3)(F) eleven, (11) times by initiating calls to a Do Not Call listed telephone number. 47USC§227(c)(5) entitles the plaintiff to receive \$1500 damages for each time the defendant knowingly violated the statute. The defendant committed unfair and deceptive acts in connection with a consumer transaction (R. C. 1345.02) by knowingly failing to comply with the TCPA. Plaintiff is entitled to \$200 damages for each of eleven, (11) violations of the CSPA R.C. 1345.09(B). The TSSA is a state statute that was enacted to regulate telephone solicitations and to protect Ohio residents against illicit, deceptive, or otherwise exploitative telemarketing. Upon information and belief, the Defendant has failed to obtain and/or maintain a valid certificate of registration in accordance with R.C. § 4719.08(A) and R.C. § 4719.08(B). Per R.C. § 4719.14 this is an unfair and deceptive act in violation of R.C. § 1345.02. Per R.C. 1345.09(B). Plaintiff is entitled to \$200 damages for each of eleven, (11) violations of this regulation. The

plaintiff requests \$6000 in damages for TCPA, CPSA, TSSA violations.

Plaintiff demands judgment against Defendant in the sum of \$6000, plus court costs and interest.

COMPLAINANT'S OATH

Complainant states the following:

"I declare under penalty of law that this Complaint is true and correct to the best of my knowledge."

Kenneth Johansen

Kenneth Johansen

11-14-20

Date

I am filing the lawsuit as an individual or an individual doing business under a business name.